



PATENT
P-5749

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Muser

Serial No.: 10/674,484

Art Unit: 1744

Filing Date: September 30, 2003

Examiner: Unassigned

For: **Culture Flask**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

In accordance with 37 C.F.R. §1.56, 1.97, 1.98 and 1.99, Applicants respectfully submit this communication to make of record the documents cited in Form PTO/SB/08A. Form PTO/SB/08A and a copy of each document cited are enclosed herewith.

It is respectfully submitted that the disclosure of the above documents do not constitute an admission that they are relevant or material to the claims or are "prior art" to the subject application. The citation of them is not to be considered as a representation that no better art exists or that a search has been made.

Respectfully submitted,

Dated: March 1, 2004

By: Nanette S. Thomas
Nanette S. Thomas
Attorney for Applicant
Reg. No. 33,310

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PTO/SB/08A (08-03)

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STATEMENT BY APPLICANT**

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Sheet 1 of 4

Complete if Known

Application Number	10/674,484
Filing Date	September 30, 2003
First Named Inventor	Muser
Art Unit	1744
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Attorney Docket Number	P-5749

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 491,198	02-02-1893	Straus	
		US- 824,210	06-26-1906	Sauer	
		US- 1,904,222	04-18-1933	Halback	
		US- 2,135,239	11-01-1938	Patterson	
		US- 2,582,398	01-15-1952	Siegenthal	
		US- 2,619,448	11-22-1952	Larsen	
		US- 2,858,036	10-28-1958	Earle et al.	
		US- 2,920,777	01-12-1960	Cole	
		US- 2,947,116	08-02-1960	Earle et al.	
		US- 3,176,879	04-16-1962	Mojonnier	
		US- 3,449,210	06-10-1969	Rohde	
		US- 3,490,501	01-20-1970	Manem et al.	
		US- 3,532,605	10-06-1970	Riera	
		US- 3,589,983	06-29-1971	Holderith et al.	
		US- 3,702,806	11-14-1972	Oliva	
		US- 3,726,764	04-10-1973	House et al.	
		US- 3,853,712	12-10-1974	Froman et al.	
		US- 3,870,602	03-11-1975	Lyman	
		US- 4,073,695	02-14-1978	Gleeson	

FOREIGN PATENT DOCUMENTS

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		US- 4,121,976	10-24-1978	Gleeson	
		US- 4,144,136	02-13-1979	Corbeil	
		US- 4,296,205	10-20-1981	Verma	
		US- 4,334,028	06-08-1982	Carver	
		US- 4,534,483	08-13-1985	Kassis et al.	
		US- 4,640,895	02-03-1987	Davis	
		US- 4,734,373	03-29-1988	Bartal	
		US- 4,769,858	09-13-1988	Gamm et al.	
		US- 4,770,854	09-13-1988	Lyman	
		US- 4,851,351	07-25-1989	Akamine	
		US- 4,902,286	02-20-1990	Ranoux	
		US- 4,912,048	03-27-1990	Smith et al.	
		US- 4,927,764	05-22-1990	Lyman et al.	
		US- 4,935,371	06-19-1990	Rickloff	
		US- 4,968,623	11-06-1990	Franks	
		US- 5,002,199	03-26-1991	Frahm	
		US- 5,047,347	09-10-1991	Cline	
		US- 5,084,393	01-28-1992	Rogalsky	
		US- 5,112,957	05-12-1992	Pollard	

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		Number-Kind Code ² (if known)			
		US- 5,139,952	08-18-1992	Honda et al.	
		US- 5,151,366	09-29-1992	Serkes et al.	
		US- 5,210,038	05-11-1993	Jaeger et al.	
		US- 5,262,326	11-16-1993	Jaeger et al.	
		US- 5,272,084	12-21-1993	O'Connell et al.	
		US- 5,310,658	05-10-1994	Berndt	
		US- 5,310,676	05-10-1994	Johansson et al.	
		US- 5,391,496	02-21-1995	Kayal et al.	
		US- 5,462,874	10-31-1995	Wolf et al.	
		US- 5,482,854	01-09-1996	O'Leary et al.	
		US- 5,565,353	10-15-1996	Klebe et al.	
		US- 5,570,802	11-05-1996	Wang et al.	
		US- 5,578,491	11-26-1996	Kayal et al.	
		US- 5,595,907	01-21-1997	Kayal et al.	
		US- 5,618,731	04-08-1997	Stevens et al.	
		US- 5,622,865	04-22-1997	Kayal et al.	
		US- 5,672,505	09-30-1997	Jones et al.	
		US- 5,693,537	12-02-1997	Wilson et al.	
		US- 5,695,987	12-09-1997	Kayal et al.	

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		US- 5,716,798	02-10-1998	Monthony et al.	
		US- 5,763,275	06-09-1998	Nagels et al.	
		US- 5,766,936	06-16-1998	Kayal et al.	
		US- 5,783,440	07-21-1998	Stevens	
		US- 5,801,054	09-01-1998	Kiel et al.	
		US- 5,858,310	01-12-1999	Jackson et al.	
		US- 5,924,583	07-20-1999	Stevens et al.	
		US- 5,935,845	08-10-1999	Koontz	
		US- 5,939,314	08-17-1999	Koontz	
		US- 6,056,924	05-02-2000	Jackson et al.	
		US- 6,095,356	08-01-2000	Rits	
		US- 6,114,165	09-05-2000	Cai et al.	
		US- 6,150,159	11-21-2000	Fry	
		US- 6,210,959	04-03-2001	Lodri et al.	
		US- Des 379,521	05-27-1997	Stevens et al.	
		US- Des 379,520	05-27-1997	Stevens et al.	
		US- Des 272,602	02-14-1984	Gregory	
		US-			
		US-			

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		WO 96/00780				

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